

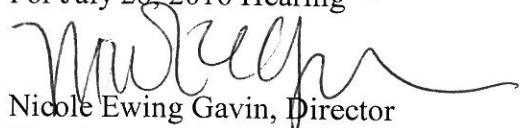


# MEMORANDUM

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TO: Jim Mazzocco  
Zoning Examiner

DATE: July 13, 2016  
For July 28, 2016 Hearing -

FROM:   
Nicole Ewing Gavin, Director  
Planning & Development Services

SUBJECT: REZONING: PLANNING & DEVELOPMENT SERVICES REPORT  
ESTABLISHMENT OF ORIGINAL CITY ZONING  
C15-16-01 Desert Willow Annexation District,  
County CR-1 and County SR to City RX-1 and City SR (Ward 2)

**Issue** – This is a request by the City of Tucson to establish Original City Zoning on approximately 349 acres of land recently annexed by the City of Tucson. Establishment of Original City Zoning requires that the property be rezoned. The rezoning site is located north east of the intersection of Tanque Verde and Houghton (see Case Location Map). The request includes a pre-annexation and development agreement with development approval (See Application and Attachments).

**Planning & Development Services Recommendation** – The Planning & Development Services Department recommends approval of RX-1 and SR zoning as the Original City Zoning, the extension of the Major Streets & Routes, scenic arterial street designation on Tanque Verde Road, and the extension of the Environmental Resource Zone, ERZ watercourse designation of the Agua Caliente Wash.

## **Background Information**

**Annexation History** – Mayor and Council on May 17, 2016 voted 7-0 to pass and adopt the annexation of the Desert Willow Annexation District.

**Project Description** – The annexation district is located along Tanque Verde Road and Houghton Road, encompassing approximately 349 acres. Pulte Homes is developing Desert Willow Ranch subdivision approximately 46 acres for single family homes. The remainder of the annexation district is vacant land.

**Existing Land Use:** Single family residential use, and vacant use

## **Surrounding Zones and Land Uses:**

North: Zoned CR-1 (Pima County); single family residential

South: Zoned SR; single family residential, city park, and Rillito River  
East: Zoned SR (Pima County); single family residential  
West: Zoned O-3; vacant

Previous Cases on the Property:

Co9-13-09 – The County Board of Supervisors (BOS) adopted Rezoning Co9-13-09, Ordinance No. 2015-20 on May 12, 2015 with typographical errors that were corrected by the BOS on June 16, 2015. The rezoning was for a Subdivision from SR to a combination of CR-1 and SR (restricted). The Subdivision is 122.5 acres with 51 single-family residential lots, zoned CR-1, which permits single-family residential development with a minimum lot size of 36,000 square feet. The rezoning case was approved with conditions that included reduced setbacks and building height restrictions.

On April 4, 2014, Pima County approved the Tentative Plat for the Subdivision. The Final Plat for the Subdivision was approved and recorded with the Covenants, Condition & Restrictions on August 19, 2014. As part of the Subdivision approvals, Pima County approved modifications/reductions in setbacks for Lots 1 and 2 to permit 20-foot front yard setback, and a 15-foot rear yard setback. Other approvals of the Tentative Plat and Final Plat include an April 4, 2014 County-approved Regulated Riparian Habitat Mitigation Plan and an agreement for the permitted uses within the Riparian Areas within the Subdivision.

Related Cases:

C15-99-04: Original City Zoning Tanque Verde Trails Annexation District. The area comprised approximately 45.79 acres of land. The rezoning site is located in the area north of Tanque Verde Road, west of Houghton Road. The County zoning was SR and CR-1, with the translated City zoning of SR and RX-1 zone and extending the Scenic Route designation for Houghton Road and Tanque Verde Road within the annexation district.

C15-95-20: Original City Zoning Tanque Verde Loop Road Annexation District.

The area comprised approximately 49.72 acre parcel. The rezoning site is located at the southeast corner of Speedway Boulevard and Tanque Verde Loop Road. The City established original city zoning for the area as SR, and the extension of the Hillside Development Zone within the annexation district.

Zoning Translation - Arizona State law provides the Original City Zoning must be applied to recently annexed property within 6 months of annexation. The Original City Zoning may not allow uses or densities greater than those permitted under the existing County zoning. Consistent with State law and Mayor and Council policy, staff translates the Pima County zoning to the most comparable City zoning, thereby allowing uses and densities equivalent to what was allowed under County zoning.

The Pima County CR-1 zone and the City of Tucson RX-1 zone are comparable and the Pima County SR zone and the City of Tucson SR zone are comparable. The completed translation of County zones to City zones, excluding the Desert Willow Ranch subdivision, is summarized below.

County CR-1: Low-density residential zone principally allowing single-family residences on minimum 36,000 square-foot lots.

County SR: Very low-density residential zone which allows single-family residences, commercial/agricultural uses, churches, schools, and public utilities uses on minimum 144,000 square-foot lots.

City RX-1: Low-density residential zone, which allows single-family residences, recreational/tourist related enterprises on minimum 36,000 square-foot lots.

City SR: Very low density residential zone, which allows large lot, single-family residential development and suburban ranch uses on minimum 144,000 square-foot lots.

Scenic Route: Within the City of Tucson, Tanque Verde Road is identified as a scenic arterial street on the City of Tucson *Major Streets and Routes Plan* map, with a future right-of-way of 150 feet. Therefore, the Original City Zoning includes designation of that portion of Tanque Verde Road lying within the annexation district extends the *Major Streets and Routes Plan* designation for Tanque Verde Road.

ERZ WASH: Within the City of Tucson, Agua Caliente Wash is identified as a ERZ WASH. Therefore the Original City Zoning includes designation of that portion of Agua Caliente Wash lying within the annexation district extends the ERZ WASH designation for Agua Caliente Wash.

PIMA COUNTY ZONING	CITY TRANSLATION	CITY OVERLAY ZONES
CR-1 & SR	RX-1 & SR	Major Streets & Routes Plan Scenic Route; ERZ WASH

Desert Willow Ranch subdivision - The Pima County CR-1 zone and the City of Tucson RX-1 zone are comparable and the Pima County SR zone and the City of Tucson SR zone are comparable. The completed translation of County zones to City zones is summarized below and reflects the Pre-Annexation Development Agreement adopted November 17, 2015, Resolution No. 22496, along with the County existing, approved setbacks, height pursuant to the County Rezoning Conditions (Co9-13-09) and other zoning regulatory standards for the County approved Subdivision in which the County's Scenic Corridor regulations will apply to this Subdivision, and the Modification of County Development Standards for Riparian Areas as approved and stated on the Final Plat, Permitting Note #1.

PIMA COUNTY ZONING	CITY TRANSLATION	TRANSLATION SOURCE
CR-1 & SR (as approved in County)	RX-1 & SR	Unified Development Code
Setbacks: Front 30 feet; Rear 40 feet; Side 10 feet	Setbacks: Front and Rear 20 feet; Side 10 feet	County Rezoning and PADA
Setbacks street-side 30 feet	Setbacks street-side 30 feet	PADA
Setbacks for the rear of Lots 1 and 2 will be 15 feet	Setbacks for rear of Lots 1 and 2 will be 15 feet	Plat and Pima County Modification of Setback
Height for Lots 1-49 restricted to 22 feet	Height for Lots 1-49 restricted to 22 feet	County Rezoning
Pima County MS&R with Scenic designation	Pima County Scenic regulations apply	Extend MS&R with Scenic Route applying Pima County regulations
Adopted Regulated Riparian Habitat Mitigation Plan and Modification of County Development Standards for Riparian Areas (Pima County Code 18.07.080)	Adopted Regulated Riparian Habitat Mitigation Plan and Modification of Development Standards (permits lot size down to 18,000 square feet)	PADA, Tentative/Final Plat and County Approved Regulated Riparian Habitat Mitigation Plan

**Planning Considerations** – The proposed annexation district is situated on 349 acres immediately north and east of Houghton Road and Tanque Verde Road intersection. The annexation district consists of generally vacant and developed residential parcels. The request is the establishment of Original City Zoning from Pima County CR-1 (County Residential) to City RX-1 (City Residential) and Pima County SR (County Suburban Ranch) to City SR (City Suburban Ranch). Within the Desert Willow Annexation District, the owners of the Desert Willow Ranch subdivision have entered into an agreement with the City of Tucson in recognition of differences between the County Zoning Codes and the City’s Unified Development Code.

The annexation site is within the boundaries of the *Plan Tucson*, and the *Catalina Foothills Subregional Plan*. The request to establish Original City Zoning from Pima County CR-1 to City RX-1 and Pima County SR to City SR is consistent with the *Plan Tucson* and the *Catalina Foothills Subregional Plan* direction, which recognize that the long-term prosperity and vitality of the city is focused on positive infrastructure expansion, and providing for a rational pattern of land development. The *Plan Tucson* supports pursuing annexation with the ultimate goal of having urban commercial and residential areas located within incorporated city limits. The proposed Original City Zone supports residential development that will contribute to Tucson’s overall economic vitality and community character. The *Catalina Foothills Subregional Plan* supports development considerations of Scenic Resources and Open Space Protection, Preservation of Washes and Wildlife Habitat, and Trails.

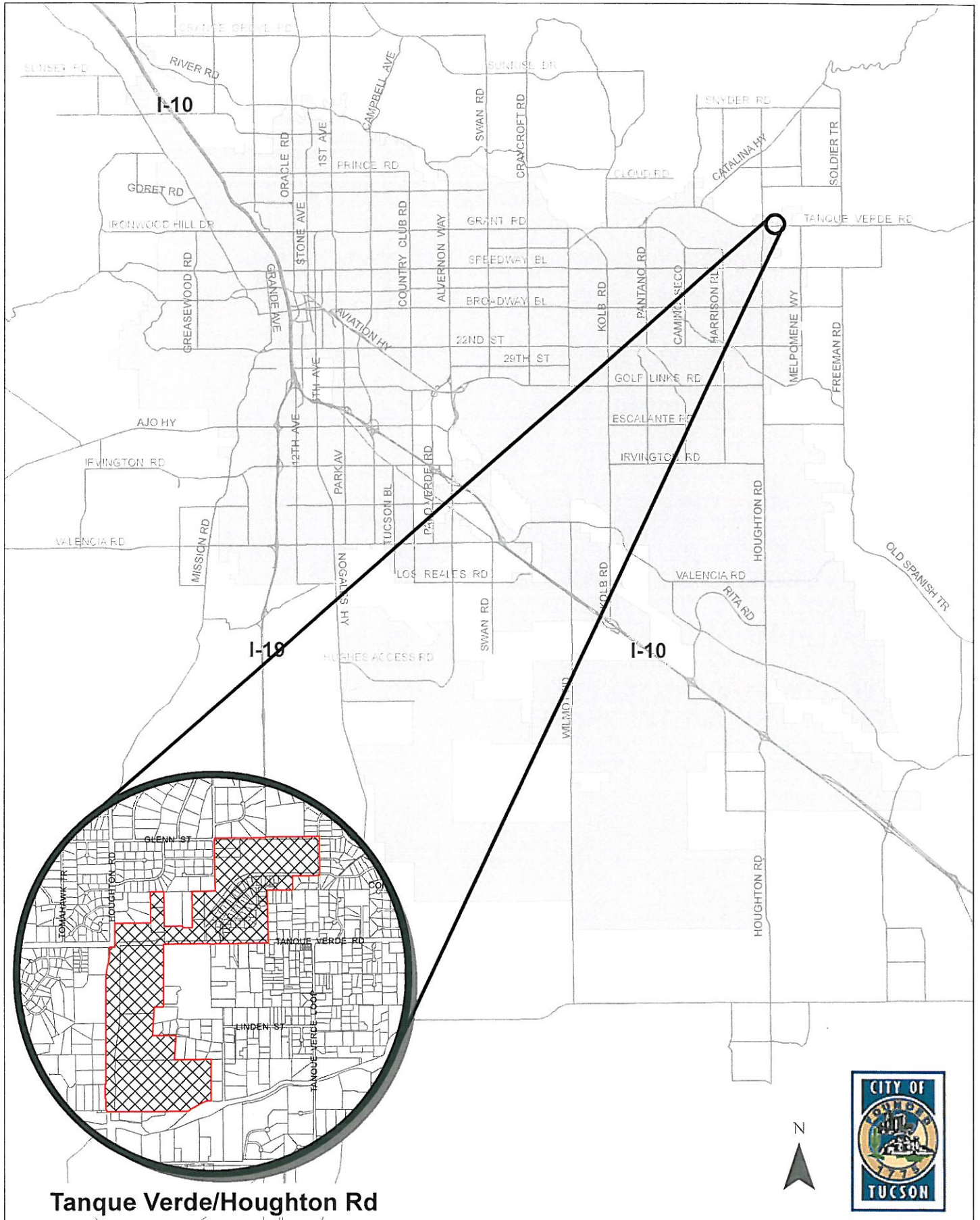
**Conclusion** – The establishment of Original City Zoning for the Desert Willow Annexation District, translating from County CR-1 to City RX-1 and County SR to City SR zoning, is consistent with the policies in the *Plan Tucson* and the *Catalina Foothills Subregional Plan*. The *Major Streets and Routes Plan*, Scenic Route designation for Tanque Verde Road will extend that portion of Tanque Verde Road lying within the annexation district, and the ERZ watercourse designation of that portion of Agua Caliente Wash lying within the annexation district extends the ERZ WASH designation for Agua Caliente Wash. Approval of the proposed translation Original City Zoning for the Desert Willow Ranch subdivision with conditions to reflect pre-annexation and development agreements between City of Tucson and Desert Willow Partners LLC as adopted, and the remainder of the Desert Willow Annexation District is appropriate translation from Pima County zoning to City of Tucson zoning.

Pursuant to the Pre-Annexation and Development Agreement, County Rezoning Conditions (Co9-13-09) and other zoning regulatory standards for the Desert Willow Ranch subdivision the Original City Zoning is subject to the following documents and conditions:

1. Pre-Annexation and Development Agreement, adopted November 17, 2015, Resolution No. 22496
2. Co9-13-09, Ordinance 2015-20, approved May 12, 2015, Ordinance corrected for typographical errors on June 16, 2015
3. Pima County Modification of Setback approval, October 13, 2014
4. Tentative Plat for Desert Willow Ranch
5. Regulated Riparian Habitat Mitigation Plan for Desert Willow Ranch
6. Setbacks for rear and front of Desert Willow Ranch subdivision Lots 1-49 will be the City's CR-1 20 feet
7. Setbacks for sideyards of Desert Willow Ranch subdivision Lots 1-49 will be 10 feet
8. Setbacks for the street-side of Desert Willow Ranch subdivision Lots 1-49 will be permitted at 30 feet
9. Setbacks for the rear of Desert Willow Ranch subdivision Lots 1 and 2 will be 15 feet
10. The height restriction for Desert Willow Ranch subdivision as approved by the County at 22 feet/single story for Lots 1-49
6. Pima County's Scenic Corridor regulations for the Desert Willow Ranch subdivision
7. Modification of County Development Standards for Riparian Areas as approved and stated on the Final Plat, Permitting Note #1, will apply to the Desert Willow Ranch subdivision



# C15-16-01 Desert Willow - Tanque Verde/Houghton Road



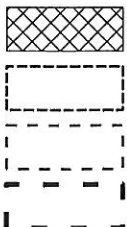
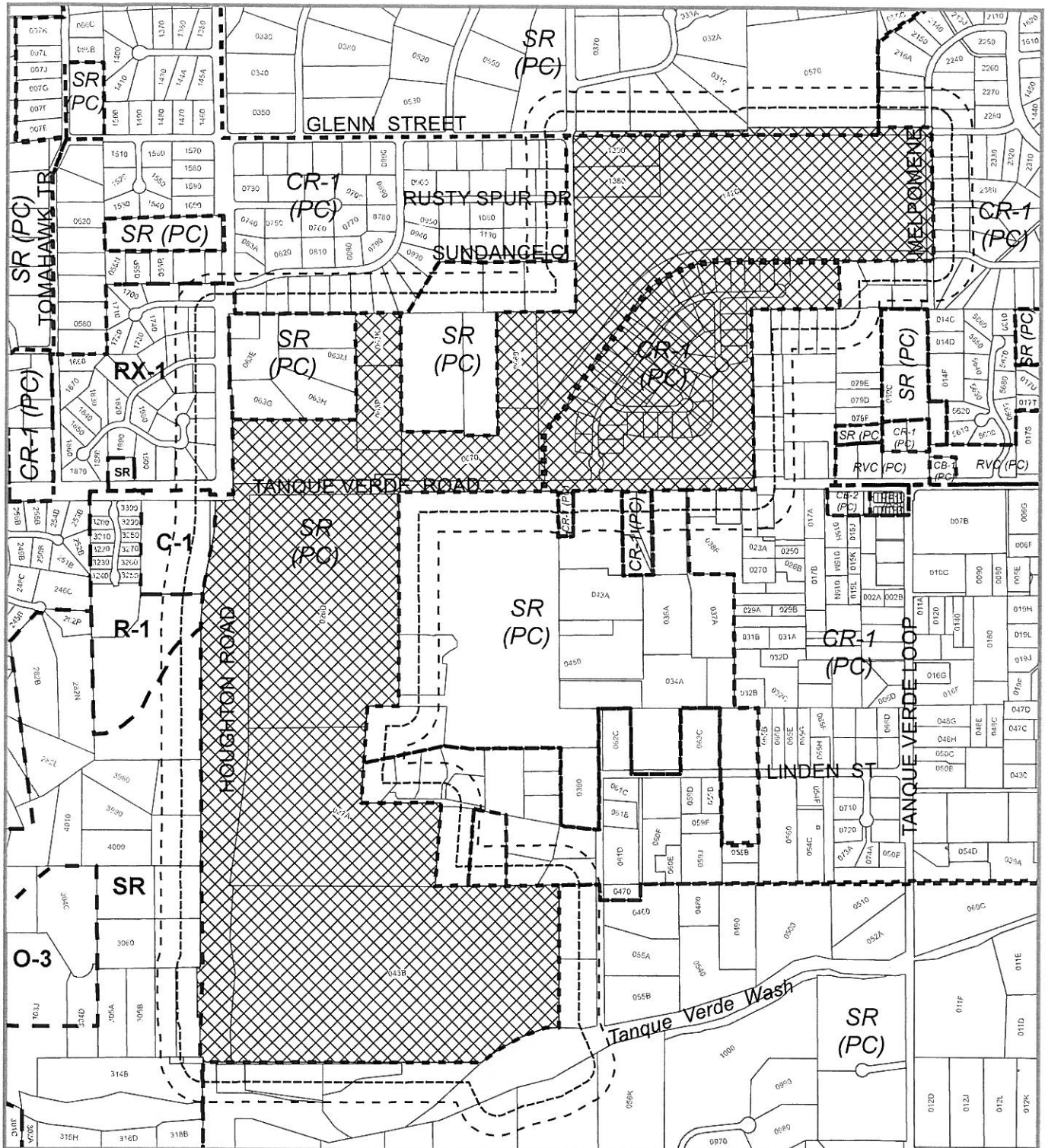






# C15-16-01 Desert Willow Annexation District

## Original City Zoning



Area of Annexation  
150' Protest Area  
300' Notification Area  
Zone Boundaries



Address: Tanque Verde Rd. & Houghton Rd.  
Base Maps: Sec.36 T.13 R.15  
Sec.01 T.14 R.15  
Ward: 2

0 550 1,100 Feet  
1 inch = 1,100 feet



**PUBLIC FACILITIES AND SERVICES REPORT FOR July 28, 2016**  
(as of July 8, 2016)

**C15-16-01 Desert Willow Annexation District, County CR-1 & SR to City RX-1 and SR Zone**

**CITY AGENCIES**

**Planning & Development Services – Zoning Review:** See attached comments dated 6/15/16.

**Planning & Development Services – Sign Code:** See attached comments dated 7/5/16.

**No Objections Noted**

**Planning & Development Services – Landscape**

**Tucson Fire Department**

**Tucson Parks and Recreation**

**Planning & Development Services – Engineering**

**Planning & Development Services – Landscape**

**Tucson Water New Area Development**

**Transportation – Traffic Engineering**

**Planning & Development Services - Planning**

**NON-CITY AGENCIES**

**No Objections Noted**

**Tucson Unified School District**

**Arizona Department of Transportation**

**Pima County Development Services**

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, July 13, 2016 at

**[http://cms3.tucsonaz.gov/planning/prog\\_proj/projects/rezoning/index.html](http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html)**



## Approval – Protest Form

If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Planning and Development Services Department at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner's public hearing.

**Approvals and protests must have an owner's signature to be recorded.**

If protests are filed from property owners representing 20% or more by area in any quadrant of the area located within a 150 foot radius of the parcel(s) on which the rezoning is proposed, an affirmative vote of  $\frac{3}{4}$  of the Mayor and Council will be required to approve the rezoning ordinance.

**Case: C15-16-01, County CR-1 & SR to Original City Zoning RX-1 & SR  
Ward 2**

\_\_\_\_\_  
I/We the undersigned property owners, wish to

- ☐ APPROVE the proposed rezoning.  
☐ PROTEST the proposed rezoning.

**Reason:**

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PLEASE PRINT YOUR NAME	PLEASE PRINT MAILING ADDRESS	PLEASE PRINT LEGAL PROPERTY DESCRIPTION		
		Subdivision	Block	Lot

Owner's Signature: \_\_\_\_\_ Date \_\_\_\_\_



Place  
Stamp  
Here

City of Tucson  
**Planning and Development Services Department**  
Rezoning Section  
201 N. Stone  
P.O. Box 27210  
Tucson, Arizona 85726-7210

C15-16-01

Expose this flap - Affix stamp and return

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City of Tucson jb  
Planning and Development Services  
Department -Rezoning Section  
201 N. Stone Avenue  
P.O. BOX 27210  
Tucson, Arizona 85726-7210

C15-16-01  
IMPORTANT REZONING NOTICE ENCLOSED